

REMARKS

Claims 1-28 are pending. By this Amendment, no claims are cancelled, claims 1, 6 and 7 are amended, and new claim 29 is added.

Amendments to the Claims

Claim 1 has been amended to recite that the second assembly jig is separate from the musical instrument. Support for the amendment can be found throughout the application as filed, such as, for example, at page 11, lines 27-30, and Figures 3-7. Therefore, no new matter has been added.

Claim 6 has been amended to include all the limitations recited in claim. Therefore, no new matter has been added.

New Claims

Claim 29 has been added to recite the step of providing a second assembly jig adapted to removable retain the side wall in a configuration corresponding to the predetermined pattern of the groove or rebate, as well as certain steps of original claim 1. Support for the amendment can be found throughout the application as filed, such as, for example, in original claim 1 and at page 11, lines 27-30, and Figures 3-7. Therefore, no new matter has been added.

Claims Rejections – 35 U.S.C. §§ 102

Claims 1-5 and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,443,466 to Brakewell (“Brakewell”). In particular, the Office Action provides that Figure 4 and column 3, lines 54-57 of Brakewell disclose a second assembly jig.

As noted above, claim 1 has been amended to recite that the second jig assembly is separate from the musical instrument. In contrast, the bottom member of Brakewell, which the Examiner references as disclosing the second jig assembly, forms part of the musical instrument. Specifically, Brakewell states that “FIG. 4 shows one end of a musical instrument with a rib 8, mounted on a bottom member 9....” (Col. 3, ll. 54-55 (reference numerals omitted).) Moreover, Brakewell is clear in defining the bottom member as one of the sides of “a box container for a musical instrument or the like....” (Col. 1, ll. 14-23.)

Therefore, amended claim 1 is allowable. Claims 2-5 and 8 depend from claim 1 and are therefore also allowable for at least the same reasons.

To the extent that the Examiner’s rejection of claim 1 applies to new claim 29, the rejection is respectfully traversed. New claim 29 is allowable because it recites a second assembly jig adapted to removably retain the side wall. In contrast, Brakewell discloses “a musical instrument with a rib mounted on a bottom member with the aid of a line, the rib being bent to shape, inserted in the groove, *and glued in position.*” (Col. 3, ll 53-57 (reference numerals omitted; emphasis added).) The bottom member of Brakewell does not removably retain the rib because the rib is glued into position on the bottom member. To the extent that the rib may be removed prior to hardening of the glue, the rib is not retained by the bottom member. Therefore, new claim 29 is allowable.

For at least the foregoing reasons, Applicant respectfully requests that the Examiner withdraw the rejection.

Allowable Subject Matter

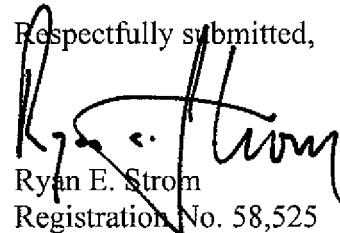
Claims 6 and 7 were objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 6 depends from claim 1. Claims 7 depends from claim 6.

Applicant thanks the Examiner for the indication of allowable subject matter in claims 6 and 7. As noted above, claim 6 has been amended to include all the limitations recited in claim 1. Therefore, claim 6 is now allowable. Claim 7 depends from claim 6 and is therefore also allowable for at least the same reasons.

Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

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